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10 *Attorneys for Plaintiff, Deutsche Bank National Trust Company as Trustee on Behalf of Morgan*  
11 *Stanley ABS Capital I Inc. Trust 2006-HE5, Mortgage Pass-Through Certificates, Series 2006-*  
12 *HE5*

13 **UNITED STATES DISTRICT COURT**  
14 **DISTRICT OF NEVADA**

15 DEUTSCHE BANK NATIONAL TRUST  
16 COMPANY AS TRUSTEE ON BEHALF OF  
17 MORGAN STANLEY ABS CAPITAL I INC.  
18 TRUST 2006-HE5, MORTGAGE PASS-  
19 THROUGH CERTIFICATES, SERIES 2006-  
20 HE5,

21 Plaintiff,

22 vs.

23 FIDELITY NATIONAL TITLE GROUP, INC.;  
24 FIDELITY NATIONAL TITLE INSURANCE  
25 COMPANY; DOE INDIVIDUALS I through  
26 X; and ROE CORPORATIONS XI through  
27 XX, inclusive,

28 Defendants.

Case No.: 2:20-cv-02355-GMN-NJK

**STIPULATION AND ORDER TO  
EXTEND TIME PERIOD TO  
RESPOND TO MOTIONS TO DISMISS  
[ECF Nos. 15-16]**

**[First Request]**

29 Plaintiff, Deutsche Bank National Trust Company as Trustee on Behalf of Morgan  
30 Stanley ABS Capital I Inc. Trust 2006-HE5, Mortgage Pass-Through Certificates, Series 2006-  
31 HE5 (“Deutsche Bank”), Specially-Appearing Defendant Fidelity National Title Group, Inc. and  
32 Defendant Fidelity National Title Insurance Company (“Defendants”) (collectively, the  
33 “Parties”), by and through their counsel of record, hereby stipulate and agree as follows:

- 34 1. On December 28, 2020, Deutsche Bank filed its Complaint in Eighth Judicial District  
35 Court, Case No. A-20-827037-C [ECF No. 1-1].

- 1        2. On December 30, 2020, Fidelity National Title Insurance Company and Fidelity
- 2        National Title Group, Inc. filed their Petition for Removal to this Court [ECF No. 1].
- 3        3. On March 9, 2021, Fidelity National Title Insurance Company and Fidelity National
- 4        Title Group, Inc. each filed a Motion to Dismiss [ECF No. 15-16].
- 5        4. Deutsche Bank's deadline to respond to Defendants' Motions to Dismiss is currently
- 6        March 23, 2021.
- 7        5. Deutsche Bank's counsel is requesting an extension until April 23, 2021, to file its
- 8        response to the pending Motions to Dismiss.
- 9        6. This extension is requested to allow the Parties additional time to discuss a stay of
- 10       litigation pending a related appeal to the Ninth Circuit, which would conserve judicial
- 11       resources in this case.
- 12       7. Counsel for Defendants does not oppose the requested extension;
- 13       8. This is the first request for an extension which is made in good faith and not for
- 14       purposes of delay.

**IT IS SO STIPULATED.**

DATED this 23<sup>rd</sup> day of March, 2021.

DATED this 23<sup>rd</sup> day of March, 2021.

WRIGHT, FINLAY & ZAK, LLP

SINCLAIR BRAUN LLP

/s/ Lindsay D. Robbins

/s/ Kevin Sinclair

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*National Trust Company as Trustee on Behalf*

*Title Group, Inc. and Fidelity National Title*

*of Morgan Stanley ABS Capital I Inc. Trust*

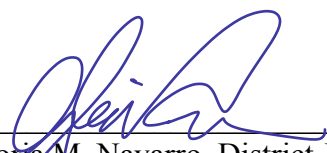
*Insurance Company*

*2006-HE5, Mortgage Pass-Through*

*Certificates, Series 2006-HE5*

**IT IS SO ORDERED.**

Dated this 23 day of March, 2021.

  
 Gloria M. Navarro, District Judge  
 UNITED STATES DISTRICT COURT